

Exhibit 51

09: 45: 12 1 devel op a new mark, whi ch they di d. And they devel oped a
09: 45: 18 2 styl ized Mi yano, the word Mi yano, i n scri pt rather than block
09: 45: 24 3 l etters.

09: 45: 26 4 THE COURT: Is that the one that' s on page 2 of your
09: 45: 31 5 prel i mi nary i nj uncti on moti on? Thi s one (i ndi cati ng)?

09: 45: 36 6 MR. KARTON: Yes.

09: 45: 37 7 THE COURT: Okay.

09: 45: 37 8 MR. KARTON: And Mi yano, both Mi yano Japan, MMU, and
09: 45: 44 9 MMU began to use that styl ized name, the desi gn. The tri angl e
09: 45: 56 10 that you saw pi ctures of, the tri angl e wi th the wi nged M --

09: 46: 00 11 THE COURT: Page 3 of the prel i mi nary i nj uncti on,
09: 46: 02 12 thi s one?

09: 46: 02 13 MR. KARTON: Ri ght.

09: 46: 04 14 They say i t was adopted i n '05 i n the Uni ted States,
09: 46: 13 15 that was after Tom Mi yano l eft the company. I t had been not
09: 46: 19 16 used pri or to that time. As I sai d, Tom Mi yano owns that mark
09: 46: 25 17 i n Japan. I t was never used commerci al ly pri or to that time.

09: 46: 33 18 We feel that Mi yano, MMU, i s attempti ng to usurp a
09: 46: 41 19 mark that i s owned person al ly by Tom Mi yano, or, i n the
09: 46: 49 20 al ternative, i s attempti ng to establi sh a ri ght to use a mark
09: 46: 55 21 that i t had years before abandoned.

09: 47: 02 22 There i s the addi ti onal factor that, whi le
09: 47: 05 23 Mi yanoHi tec Machi nery i s certai nly a corporati on, on the
09: 47: 11 24 websi te now and i n the adverti si ng now, they are di spl ayi ng
09: 47: 18 25 the trade name Tom and Steven Mi yano, not affi li ated i n any

09: 47: 24 1 way wi th Mi yano Machi nery, Inc. i n the Uni ted States or Mi yano
09: 47: 29 2 Machi nery i n Japan. They are usi ng thei r personal surname to
09: 47: 34 3 do busi ness.

09: 47: 35 4 THE COURT: But i s i t cal led Mi yanoHi tec Machi nery?

09: 47: 38 5 MR. KARTON: The company i s cal led Mi yanoHi tec
09: 47: 42 6 Machi nery. But the advertisi ng for i t and the advertisi ng at
09: 47: 46 7 the trade show on thei r booth wi ll be Tom and Steven Mi yano --

09: 47: 51 8 THE COURT: Okay.

09: 47: 51 9 MR. KARTON: -- two di fferent -- and there wi ll be
09: 47: 53 10 the di scl ai mer to di fferenti ate i t from MMU. That' s -- that' s
09: 48: 03 11 basi cal ly the di fference here.

09: 48: 05 12 THE COURT: Okay.

09: 48: 07 13 MR. KARTON: As far as the moti ons are concerned,
09: 48: 09 14 there are two, as Mr. Manzo menti oned, the one for leave to
09: 48: 15 15 amend. We, of course, have no obj ecti on to that. And had I
09: 48: 21 16 known beforehand, I woul d have tol d hi m that we have no
09: 48: 23 17 obj ecti on to that.

09: 48: 24 18 THE COURT: Okay.

09: 48: 25 19 MR. KARTON: We woul d, of course, l i ke an opportuni ty
09: 48: 27 20 to respond to the amended moti on. The -- because there i s
09: 48: 37 21 i nformati on that i s goi ng to be comi ng from Japan, i t' s
09: 48: 41 22 necessary from Japan, and because we don' t control the
09: 48: 45 23 corporati on MMU, and we somehow don' t thi nk that they are
09: 48: 51 24 goi ng to be as cooperati ve as they mi ght be, gi ven that
09: 48: 55 25 they' re the opposi tions i n a lawsui t, and because of the